IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE ELEVENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 20688 of 2003

Between:

G.Ramu S/o.Chinna Gandhi
Gummadidala Post, Jinnaram Mandal,
Medak District.

..... PETITIONER

AND

The Depot Manager,
A.P.S.R.T.C., Miyapur Depot,
Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, a order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent in not regularising the petitioner's services as Grade-II conductor as per office order vide proceeding No. D2/214(1)/2002-HCR dated 7-3-2003 as illegal, arbitrary, null and void and consequently direct the respondent to dispose of the representation of the petitioner, dated 23.07.2003, on merits.

Counsel for the Petitioner:MR.S.PRADEEP KUMAR

Counsel for the Respondent No.: MR.V.T.M.PRASAD

The Court made the following :

O R D E R:

Heard the learned counsel for both the parties.

The facts of the case in brief are that the petitioner was initially appointed as Casual Conductor in the respondent-Corporation, vide proceedings, dated 15.02.2001 and since then, he has been working in the Corporation, without any remark. On 05.10.2002, while the petitioner was conducting Bus No.AP28 U 5967 at stage No.16, the officials of the Corporation found some ticket irregularities on the part of the petitioner and issued a show cause notice, dated 05.10.2002 to him. There after, the petitioner submitted a detailed explanation, dated 10.10.2002 to the Corporation. In spite of submitting the explanation, the respondent authorities without conducting a regular enquiry, issued another show cause notice, dated 16.10.2002, to the petitioner, deleting his name from the approved/select list for regular appointment. On 23.10.2002, the petitioner submitted another explanation against the punishment of deletion of his name in the selection list as bad in law. There after, he filed W.P.No.728 of 2003 before this Court and this Court by order, dated 10.01.2003 allowed the writ petition, directing the respondent authorities to issue an order, permitting the petitioner to join duty. Pursuant to the orders of this Court, the Regional Manager, J.B.S.Picket, Secunderabad issued proceedings, dated

07.03.2003, regularizeing the Casual Conductors Grade-II of Hyderabad City Region, who have completed 240 days of service as on 31.07.2002. As the petitioner has completed 240 days of service, he made a representation, dated 10.04.2003, before the respondent herein, to implement the orders of the Regional Manager, dated 07.03.2003 and also to regularize his services with effect from 01.08.2002. It is also the case of the petitioner that in spite of the Circular Instructions, dated 24.04.1997 issued by the Vice Chairman/Managing Director of the Corporation, stating that the Casual Conductors who have completed 240 days of service are eligible for regularization of their services, the respondent did not take any action to regularize the services of the petitioner. Aggrieved by the action of the respondent herein, this writ petition is filed.

In view of the above facts and circumstances of the case, the respondent is directed to consider the case of the petitioner for regularization of his services, if he has completed 240 days of service and pass appropriate orders within a period of six weeks from the date of receipt of copy of a order of this Court.

The writ petition is accordingly disposed of. No costs.

_____ V.ESWARAIAH.J

11.11.2004

tjs

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Depot Manager, A.P.S.R.T.C., Miyapur Depot, Hyderabad.

1.2CCs to the G.P. for Corporation, High Court of A.P., Hyderabad (OUT)

2.2CD copies